

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2009-006838-001 DT

11/03/2010

HONORABLE GLENN M. DAVIS

CLERK OF THE COURT

E. Canas

Deputy

STATE OF ARIZONA

SHAWN CLAYTON FULLER

v.

CHRISTOPHER ANGEL BENITEZ (001)

MICHAEL A LEAL

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY  
DAY 2

Parties stipulate to the following exhibits 1-4 and 7-96.

State's Attorney: above-named counsel

Defendant's Attorney: above-named counsel

Defendant: Present

Court Reporter, Lynn Cronin, is present.

A record of the proceeding is also made by audio and/or videotape.

10:52 a.m. Trial to Jury continues from November 02, 2010.

The jury is present.

The Court concludes Preliminary Instructions to the jurors.

FILED: Preliminary Instructions.

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Opening statements.

Counsel for the Defense invokes the rule of exclusion of witnesses.

**STATE'S CASE:**

11:20 a.m. Ramon Art Gloria is sworn and testifies.

11:35 a.m. Witness excused.

11:36 a.m. Officer Sean Sullivan is sworn and testifies.

LET THE RECORD REFLECT the Court is informed the Jury has a question(s) #1.  
Court and counsel discuss the question(s) at a Bench Conference. The relevant question(s) are asked and answered.

11:48 a.m. Witness excused.

11:49 a.m. Court stands at recess.

1:34 p.m. The Court reconvenes with counsel and Defendant. The jurors are not present.

Court Reporter, Lynn Cronin, is present.

Parties have stipulated to the admission to the following exhibits: 1-4 and 7-97.

The State further addresses photo's of the autopsy of deceased victim Brett Tarver as stated on the record.

Court will hold marking in evidence the photo's till later testimony.

1:46 p.m. Jurors are present.

State's Exhibits #98 and 99 are marked for identification.

STATE'S CASE CONTINUES.

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1:48 p.m. Cyrus Joy is sworn and testifies.

2:42 p.m. Witness excused.

LET THE RECORD REFLECT the Court is informed the Jury has a question(s) 2-4. Court and counsel discuss the question(s) at a Bench Conference. The relevant question(s) are asked and answered.

2:42 p.m. Witness excused.

2:43 p.m. John Tomazin is sworn and testifies.

3:03 p.m. Court stands at recess.

3:29 p.m. The Court reconvenes with counsel and Defendant. The jurors are not present.

Court Reporter, Lynn Cronin, is present.

Court has read case law in regards to State's request to mark for identification the autopsy of the deceased, Brett Tarver as stated on the record.

3:32 p.m. Jurors are present.

Testimony of Tomazin resumes.

LET THE RECORD REFLECT the Court is informed the Jury has a question(s) 5 and 6. Court and counsel discuss the question(s) at a Bench Conference. The relevant question(s) are asked and answered.

3:54 p.m. Witness excused.

3:55 p.m. Capt. Jeff Heltzel is sworn and testifies.

LET THE RECORD REFLECT the Court is informed the Jury has a question(s) 7-9. Court and counsel discuss the question(s) at a Bench Conference. The relevant question(s) are asked and answered.

4:15 p.m. Witness excused.

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4:16 p.m. Mark Coogle is sworn and testifies.

LET THE RECORD REFLECT the Court is informed the Jury has a question(s) 10 and 11. Court and counsel discuss the question(s) at a Bench Conference. The relevant question(s) are asked and answered.

4:33 p.m. Witness is excused.

4:34 p.m. Jurors are excused and instructed to return on Thursday October 04, 2010, at 10:15 a.m.

4:34 p.m. Court stands at recess.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>